

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

May 15, 2013

7:00 PM

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:00 PM by Mr. Rick Saunders. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Jesteadt, Mr. Smith and Mrs. Kelly Livermore. Mr. Kerr was absent.

NOTICE OF RECORDING POLICY: Mr. Saunders requested for anyone in the meeting to acknowledge the use of a recording device. No one acknowledged a recording device.

VISITORS: Darlene Oliver, Kirk Brethauer, Carol Brethauer, Howard Stanford, Daniel Oliver, Bill Ringle, Nancy Weitzel, Rodger Weitzel, Mike Walsh, Linda Boyd , Mr. Bob Griffiths

TREASURER'S REPORT: A motion was made by Mr. Saunders to accept the treasurer's report for the month of April. Second by Mr. Jesteadt. All in favor. Motion carried.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills General Fund checks 10656-10690). Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES: Motion made by Mr. Saunders with a second by Mr. Jesteadt to adopt the April 17, 2013, minutes. All in favor. Motion carried.

CORRESPONDENCE:

Brotherhood Mutual: Notice of Cancellation of policy (Portersville Christian School Traffic Lights) The insurance has been paid.

Markosky Engineering Group: Mark West Pipe Line: Act 14,67,68 and 127 notifications. PA DEP General Permit #5 (Utility Line Stream Crossing), Permit #8 Temporary Road Crossing and ESCGP.

Operating Engineers Construction Industry and Misc. Pension Fund: Annual Funding Notice

Prospect Community Library: March Statistics

Butler County Dept of Emergency Services: New Regulations for Unconventional Well Sites

Pa Dept of the Auditor General: 2009-2011 Portersville Muddy Creek Township Volunteer Firefighters Relief Association.

PUBLIC COMMENT: Mr. Brethauer provided questions regarding Ordinance 67. Mr. Weitzel questioned the need for Ordinance 67. Ms. Boyd questioned if she needed a permit to replace an existing deck.

Ordinance 67(Assessment Permit Ordinance): A motion to table the adoption of Ordinance 67 was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

Mrs. Oliver requested to install a small flow system on her property on Stanford Road. She was instructed to contact Mr. Duncan. Mr. Stanford stated that the paving of Stanford Road changed the angle of the road and is causing water runoff onto his property. He asked for fill to redirect the flow.

Mr. Walsh was present in the event there were any questions regarding the purchase of a tractor and boom mower.

Mr. Griffith was present in the event that there was any question regarding the purchase of a tractor and boom mower.

COMMITTEE UPDATES:

- Planning Commission:

The Commission met on May 7, 2013. The Commission recommended approval of the lot line revision of the Ringle Lots (West Park Road). A motion was made by Mr. Saunders to approve the lot line revision plan presented by Mr. Ringle. Second by Mr. Jesteadt. All in favor. Motion carried.

Mr. Jay Wack requested an extension on his lot line revision with either party giving a 30 day notice to act upon the application. A motion to approve Mr. Wack's extension was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

- BCATO:

The spring convention scheduled for May 16, 2013. The office will be closed.

- COG:

No report.

- ACT 32 COMMITTEE:

No report.

ROAD DEPARTMENT REPORT:

- Protech Asphalt: The payment was received. Mrs. Livermore will prepare the resolution for budget appropriation.
- Red Truck: There have been a few inquiries. Mrs. Livermore will check with Municibid on the costs and process to sell on Municibid.
- Road Damage: CJ Long damage Kirk Road while paving two driveways. Mrs. Livermore contacted CJ Long and they stated that they would repair it when they were back in the area. Mr. Saunders asked Mrs. Livermore contact CJ Long every three weeks until it is repaired.
- Tractor/Mower: Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- I 79 Traffic Signals: Penndot District 11 is supervising the project. Any issues with the lights at I 79 will be handled by Bronder and invoiced to the state.
- Crack Sealing: Friday and the following week, the road department will be crack sealing. The office will be open 3-4 only as Mrs. Livermore will be assisting the road dept.

OLD BUSINESS:

- Indemnity Agreement for HOP: Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- Sewage Ordinance: Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- Prospect Multi Municipal Authority: No report. Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.

- D. Construction Trailers: Mr. Saunders made a motion that all construction trailers/offices using temporary holding tanks be required to follow the Sewage Holding Tank Ordinance. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. Ag Securities: A motion was made by Mr. Saunders to appoint Mr. Jesteadt (Chair), Mrs. Joan Grady, Mr. Alan Slater, Mr. Duwayne Flinner and Mr. Gary Fisher to the Muddy Creek Township Agricultural Security Area Committee. Second by Mr. Jesteadt. All in favor. Motion carried. A motion to advertise the seven year review of the ASA was made by Mr. Saunders. A second motion was made by Mr. Jesteadt. All in favor. Motion carried.
- F. EIT Funds: SRASD Legal Counsel will provide an agreement that the funds be distributed January, 2015. A motion was made by Mr. Saunders to approve SRASD prepare the agreement. Mr. Jesteadt seconded the motion. All in favor. Motion carried.
- G. Intermunicipal Agreement Ordinance: Mr. Smith is working on it. Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- H. Riparian Buffer: The County has replied to the inquiry about changing the setback distance from riparian buffer as identified in the Stormwater Management Ordinance. The County states that there have not been any changes. DEP has dictated the minimum standards. Mrs. Livermore will contact Mr. Adams to have his engineer contact the township engineer.
- I. Intern: Mr. Saunders made a motion for Mrs. Livermore to interview and selects an intern at a rate of \$9.50 with not benefits with ratification of the action at the June meeting. Second by Mr. Jesteadt. All in favor. Motion carried.
- J. Wallace Road: The property owner had not responded and the road department has not ditched the area yet.

NEW BUSINESS:

- A. Credit Card: Mr. Saunders made a motion for the township to obtain a VISA card with a maximum limit of \$500 to be used for township business. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. June Meeting: A motion was made by Mr. Saunders to move the June meeting from June 19, 2013 to June 12, 2013. Second by Mr. Jesteadt. All in favor. Motion carried. Mrs. Livermore will advertisement the meeting change.
- C. Butler County Tourism: Mr. Cohen contacted Mr. Kerr about traffic pattern change on Currie Road and Book Road during the Pyrotechnic Convention in August. Mr. Saunders made a motion to request that Mr. Cohen attend the June Board meeting and present the estimated number of vehicles on the roads, traffic pattern, and a letter from the county bridge engineer that the Book Road bridge can handle the estimated number of vehicles. Second by Mr. Jesteadt. All in favor. Motion carried.
- D. Guidish Agreement: Mr. Saunders made a motion for Ms. Guidish to have the identified mobile home removed by no later than July 31, 2013 and the agreement will be extended two years. If the mobile home is not moved by July 31, 2013, she will be considered in breach of the agreement and further action will be taken. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. Colored Copier: Mr. Saunders made a motion to approve the purchase of a colored printer for the administration office. Second by Mr. Jesteadt. All in favor. Motion carried

SOLICITORS COMMENTS: Mr. Smith apologized to the Board of the confusion with Ordinance 67.

SECRETARY'S COMMENTS: None

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:37PM. Second by Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)